

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Rocky Lane, 450' SW of
Rolling Road
(9 Rocky Lane)
2nd Election District
1st Councilmanic District

Dayle M. Smith
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-456-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 9 Rocky Lane, located in the vicinity of Old Court Road in Pikesville. The Petition was filed by the owner of the property, Dayle M. Smith. The Petitioner seeks relief from Section V.B.6(a) and (b) to permit a street right-of-way setback of 13 feet in lieu of the required 25 feet, and a side yard setback of 8 feet in lieu of the required 15 feet for the proposed enclosure of an existing deck, and to amend the previously approved site plan in Case No. 92-270-A and the last approved Final Development Plan for Old Court Village Lot 16 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date

By

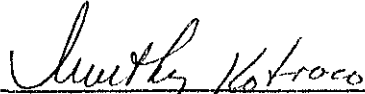
MICROFILMED

welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of July, 1995 that the Petition for Administrative Variance seeking relief from Section V.B.6(a) and (b) to permit a street right-of-way setback of 13 feet in lieu of the required 25 feet, and a side yard setback of 8 feet in lieu of the required 15 feet for the proposed enclosure of an existing deck, and to amend the previously approved site plan in Case No. 92-270-A and the last approved Final Development Plan for Old Court Village, Lot 16 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 7/12/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 13, 1995

Ms. Dayle M. Smith
9 Rocky Lane
Pikesville, Maryland 21208

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Rocky Lane, 450' SW of Rolling Road
(9 Rocky Lane)
2nd Election District - 1st Councilmanic District
Dayle M. Smith - Petitioner
Case No. 95-456-A

Dear Ms. Smith:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. R. L. Tice, Patio Enclosures, Inc.
224 8th Avenue, N.W., Glen Burnie, Md. 21061

People's Counsel

File



#463



Petition for Administrative Variance

95-456-A

to the Zoning Commissioner of Baltimore County

for the property located at

9 ROCKY LANE, PIKESVILLE, MD. 21208

which is presently zoned

DR.16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) VB 6a+b (71-92 C.M.D.P.)

* SEE REVERSE SIDE

To permit the enclosure of an existing deck with a set back from street right of way of 13' FT. in lieu of the required 25' FT. AND TO AMEND LAST ZONING HEARING PLAN UNDER CASE 92-270-A AND TO AMEND the LAST APPROVED FINAL DEVELOPMENT PLAN of 010 Court of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Village for lot #16

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

DAYLE M. SMITH
(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City State Zipcode

Signature

XXXX
Attorney for Petitioner:

PATIO ENCLOSURES, INC.

(Type or Print Name)

Signature

R. L. TICE

224 8th AVE., N.W. 760-1919

Address Phone No.

GLEN BURNIE, MD. 21061

City State Zipcode

9 ROCKY LANE

521-4029

Address

Phone No.

PIKESVILLE, MD. 21208

City State Zipcode

Name, Address and phone number of representative to be contacted.

PATIO ENCLOSURES, INC.

Name

224 8th AVE., N.W. 760-1919

Address GLEN BURNIE, MD. 21061 Phone No.

A Public Hearing having been requested and/or found to be required, It is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: _____ DATE: _____

ESTIMATED POSTING DATE: _____

MICROFILMED

ITEM #:

463

ORDER RECEIVED FOR FILING

Date

By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9 ROCKY LANE
address

PIKESVILLE, M D. 21208
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND
WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS: MOSQUITOES,
FLYS, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Dayle M. Smith
(signature)
DAYLE M. SMITH
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of June, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dayle M. Smith

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

June 1, 1995
date

Virginia Morgan
NOTARY PUBLIC
My Commission Expires: 2/2/98

MICROFILMED

463

95-456-A

LEGAL DESCRIPTION OF PROPERTY

BEGINNING ON THE ~~WEST~~^{EAST} SIDE OF ROCKY LANE ON A CUL-DE-SAC,
AT A DISTANCE OF 450 FT. ~~WEST~~^{S.W.} OF THE CENTERLINE OF ROLLING
ROAD. BEING LOT 16 IN THE SUBDIVISION OF OLD COURT VILLAGE.
BOOK 64, FOLIO 28. ALSO KNOWN AS 9 ROCKY LANE. IN THE
2nd ELECTION DISTRICT.

RECORDED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-430-17

District 2nd

Date of Posting 6/23/95

Posted for: Variano

Petitioner: Doyle M. Smith

Location of property: 9 Rocky Lane

Location of Signs: Feeling roadway on property being zoned

Remarks: _____

Posted by W. Kelly

Signature

Date of return: 6/30/95

Number of Signs: 1





Baltimore County
Zoning Administration &
Development Management
117 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-456-A

Account: R-001-6150

Number

463

JLL

Date

6/14/95

1 RES. VAR

50.00

1 RES. SPA (AMENDMENT)

50.00

1 SIGN

35.00

\$135.00

MICROFILMED

OWNER SMITH

LOC 9 ROCKY LA.

03A03H0068MICHRG

BA 0003:32PM03-14-95

\$135.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 463

Petitioner: Smith, D

Location: 9 Rocky Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Mr Dayle Smith

ADDRESS: 9 Rocky Lane

Pikesville, MD 21208

PHONE NUMBER: 410 - 521 - 4029

AJ:ggs

(Revised 04/09/93)



Printed on Recycled Paper

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 22, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-456-A (Item 463)
9 Rocky Lane
E/S Rocky Lane, 450' SW of Rolling Road
2nd Election District - 1st Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before June 25, 1995. The closing date (July 7, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director
Department of Permits and Development Management

cc: Dayle M. Smith
Patio Enclosures, Inc.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 30, 1995

Mr. Dayle M. Smith
9 Rocky Lane
Pikesville, Maryland 21208

RE: Item No.: 463
Case No.: 95-456-A
Petitioner: D. M. Smith

Dear Mr. Smith:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 14, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

RECEIVED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 26, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 9 Rocky Lane

INFORMATION:

Item Number: 463

Petitioner: Dayle M. Smith

Property Size:

Zoning: DR-16

Requested Action: Administrative Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests an administrative variance to permit a setback of 13' in lieu of the required 25 feet, and to amend the FDP for Old Court Village.

Pursuant to Section 1B01.3A.7.b(1) of the BCZR, the Director of the Office of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article (1B) and other provisions of the CMDP, notwithstanding the requested variance.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance.

Prepared by:

Division Chief:

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/03/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUN. 26, 1995

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 450, 451, 452, 453, 454, 455,
457, 458, 459, 460, 463 AND 464.

RECEIVED

JUL 3 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 6/30/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 6/26/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

450

451

452

453

456

457

458

459

460

463 ✓

465

467

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

6-23-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 463 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

UNRECORDED

THIS DEED, made this 6th day of January, in the year one thousand nine hundred and ninety-four by and between ABRAHAM PAUL KOROTKI, Grantor and party of the first part, and DAYLE M. SMITH, Grantee(s) and party(ies) of the second part.

WITNESSETH, that in consideration of the sum of \$122,600.00, the actual consideration paid or to be paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said party of the second part her

personal representatives and assigns, forever, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 16 as shown on a Plat entitled Old Court Village, which plat is recorded among the Land Records of Baltimore County in Plat Book SM No. 64 folio 28.

The improvements thereon being known as No. 9 ROCKY LANE

BEING a portion of that lot of ground which by Deed dated october 13, 1975 and recorded among the Land Records of Baltimore County in Liber No. 5576 folio 035 was granted and conveyed by Harry K. Lott, Personal Representative of the Estate of Ida C. Kiefer, deceased, unto Abraham Paul Korotki, the Grantor herein.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said party of the second part, her

personal representatives and assigns, forever, in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.



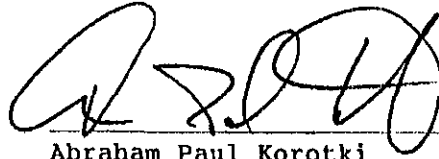
**RESIDENTIAL TITLE
& ESCROW COMPANY**

1500 Reisterstown Road
Suite 218
Baltimore, MD 21208
(410) 653-3400

RECORDED

WITNESS the hand and seal of said Grantor.

WITNESS:



(SEAL)

Abraham Paul Korotki

STATE OF MARYLAND,

, to wit:

I HEREBY CERTIFY, that on this day of , 1993, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Abraham Paul Korotki, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and she acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My commission expires:

THE UNDERSIGNED hereby certifies that the above instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland, or by one of the parties named in the instrument.

(SEAL)

File No. _____

1227M



**RESIDENTIAL TITLE
& ESCROW COMPANY**

1500 Reisterstown Road
Suite 218
Baltimore, MD 21208
(410) 653-3400

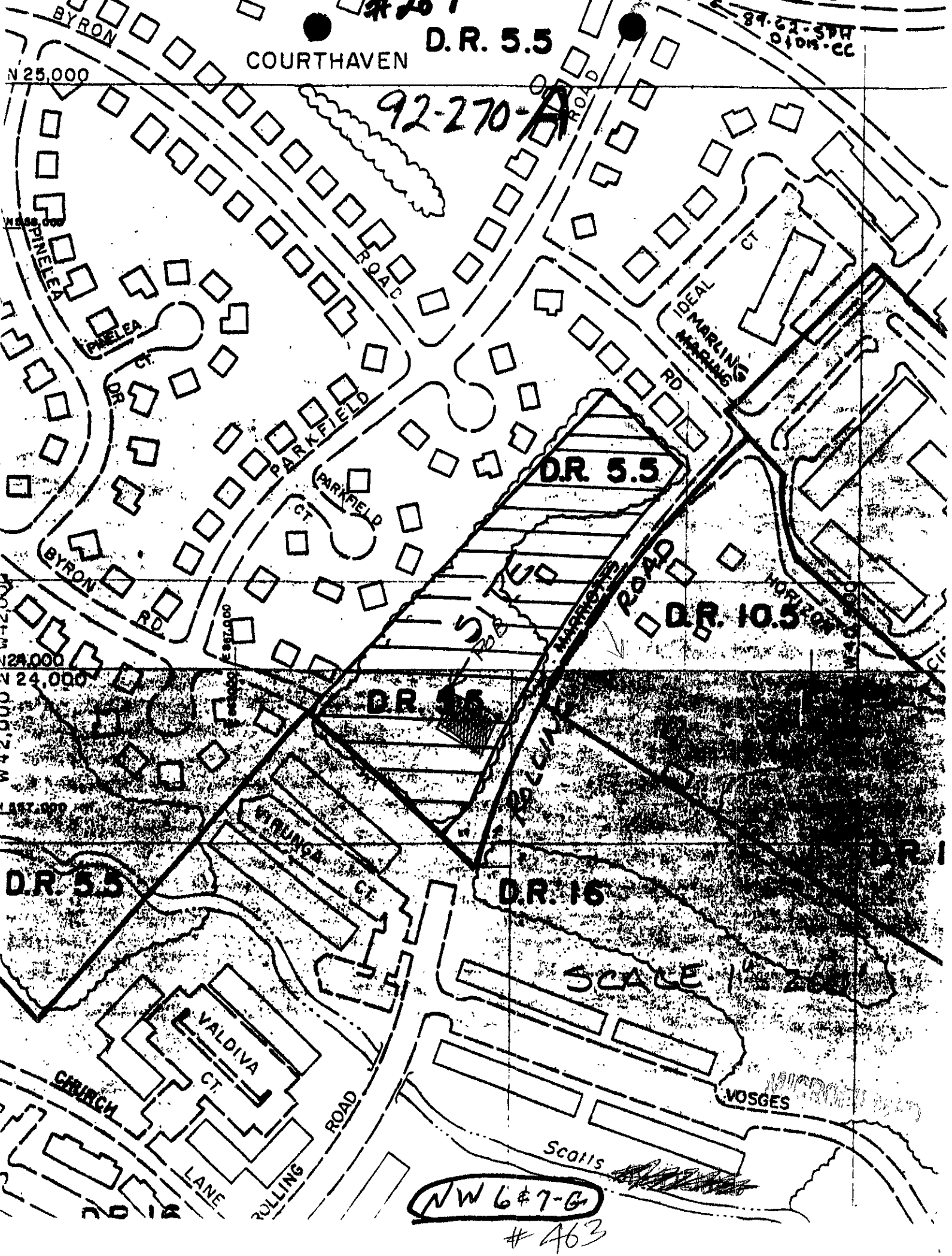
MICROFILMED



Joins Map 32 76°47'30" 860,000 FT

463

MICROFILMED



D.R. 5.5

COURTHAVEN

92-270-A

D.R. 5.5

D.R. 10.5

D.R. 5.5

D.R. 16

D.R. 5.5

SCALE 1" = 200'

NW 6 & 7-G

#463

N 25,000

W 24,000

N 24,000

W 24,000

N 24,000

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84-22-57H
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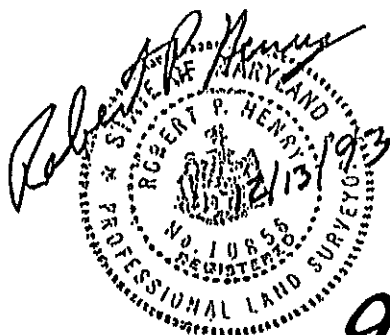
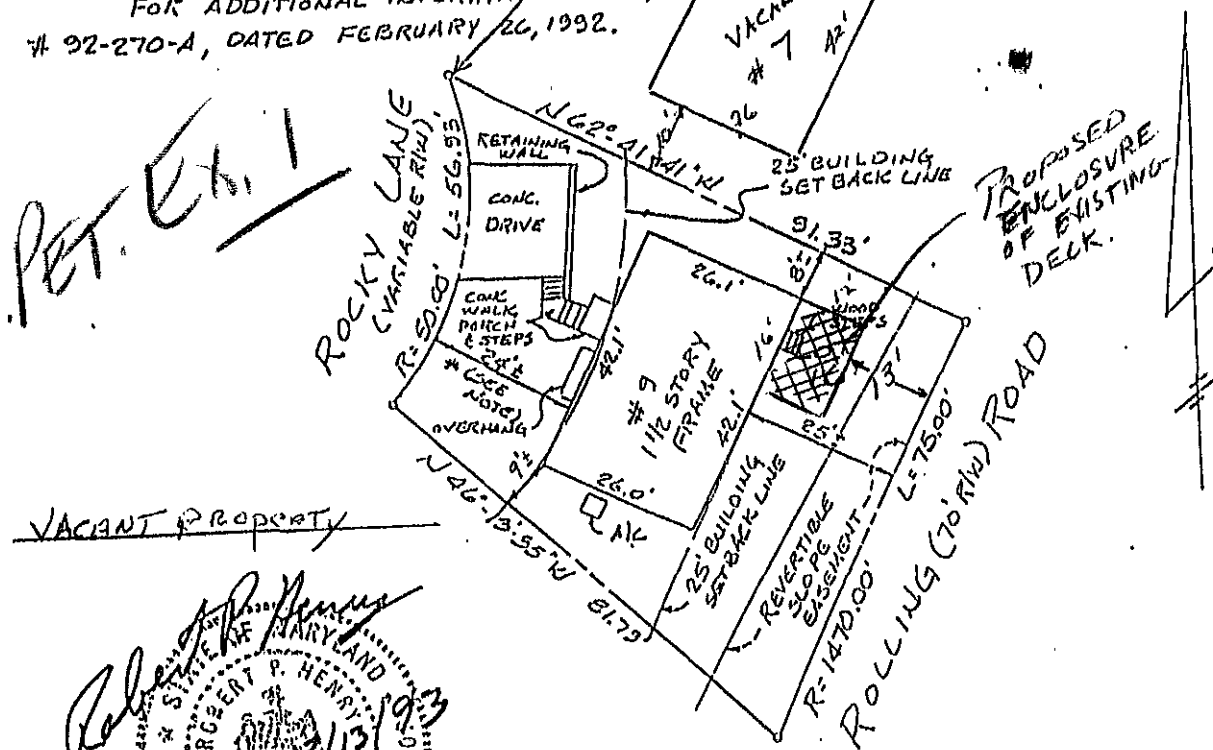
E 97,000

NOTE:

The property shown hereon does not lie within any 100 year Flood Boundary, shown on National Flood Insurance Program Flood Insurance Rate Map for Baltimore County, Maryland, Community Panel Number 240010 0360 B effective date March 2, 1981, but does lie within Zone C (area of minimal flooding), shown on said map.

* NOTE:

FOR ADDITIONAL INFORMATION REGARDING SETBACKS SEE ZONING CASE # 92-270-A, DATED FEBRUARY 26, 1992.



95-456-A

VACANT HOUSE

OWNER: APK DEVELOPMENT CORP.
1102 E. JOPPA RD.
TOWSON, MD. 21204

NOTE: AS BUILT IMPROVEMENTS ADDED DECEMBER 12, 1993

REFERENCE:

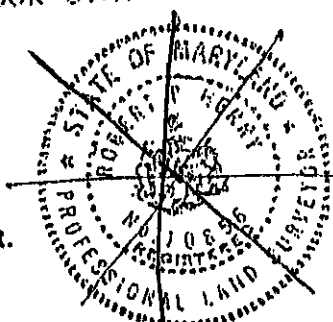
Plat dated October 27, 1991 entitled "OLD COURT VILLAGE" recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 64 folio 028.

THIS PLAT IS TO CERTIFY THAT WE HAVE MADE A LOCATION SURVEY OF THE IMPROVEMENTS AND THAT THEY ARE LOCATED AS SHOWN HEREON AND IS NOT INTENDED FOR USE IN ESTABLISHING PROPERTY LINES AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

Robert P. Henry
ASSOCIATE

REG. NO. 10856



ZONING VARIANCE PLAN

OWNER: DAYLE SMITH
9 ROCKY LANE
PIKESVILLE, MD. 21208
41-521-4029

COUNCILMANIC DIST.	1
LOT NO.	16
SUBDIVISION	OLD COURT VILLAGE
SCALE	1" = 30'
ZONE	DR-16
ELECTION DIST.	2
BOOK	64
FOLIO	28
FRONT	56.93
REAR	75.00
SIDE 1	81.79
SIDE 2	91.33
SQ.FT.	4965 ACRES .114
PLOT - ATTACHED	
PLAT TO ACCOMPANY ZONING VARIANCE	
200 SCALE MAP ATTACHED	NW6G
AERIAL MAP ATTACHED	
PHOTO ATTACHED	

463

IMPROVEMENTS DRAWING
9 Rocky Lane
Lot 16
"OLD COURT VILLAGE"

BALTO. CO., MD. ELECT. DIST. No. 2
SCALE: 1" = 30' DATE JULY 28, 1993.

MICROFILMED

*NOTE: FOR ADDITIONAL INFORMATION REGARDING SETBACKS, SEE ZONING CASE #92-270-A, DATED FEBRUARY 26, 1992.



EX. DECK TO BE
ENCLOSED. # 463



H /

ENCLOSURE

463



95-456-A

SCALE		1" = 200' ±	DATE OF PHOTOGRAPHY JANUARY 1986	LOCATION	SHEET	MICROFILMED
				ROCKDALE	NW	
				PLEASANT HEIGHTS	6-G	
				MIDVALE		

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E/S Rocky Lane, 450' SW of * DEPUTY ZONING COMMISSIONER
(9 Rocky Lane)
2nd Election District * OF BALTIMORE COUNTY
1st Councilmanic District * Case No. 95-456-A
Dayle M. Smith
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 9 Rocky Lane, located in the vicinity of Old Court Road in Pikesville. The Petition was filed by the owner of the property, Dayle M. Smith. The Petitioner seeks relief from Section V.B.6(a) and (b) to permit a street right-of-way setback of 13 feet in lieu of the required 25 feet, and a side yard setback of 8 feet in lieu of the required 15 feet for the proposed enclosure of an existing deck, and to amend the previously approved site plan in Case No. 92-270-A and the last approved Final Development Plan for Old Court Village Lot 16 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

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The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general

welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of July, 1995 that the Petition for Administrative Variance seeking relief from Section V.B.6(a) and (b) to permit a street right-of-way setback of 13 feet in lieu of the required 25 feet, and a side yard setback of 8 feet in lieu of the required 15 feet for the proposed enclosure of an existing deck, and to amend the previously approved site plan in Case No. 92-270-A and the last approved Final Development Plan for Old Court Village, Lot 16 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 13, 1995

(410) 887-4386

Ms. Dayle M. Smith
9 Rocky Lane
Pikesville, Maryland 21208

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Rocky Lane, 450' SW of Rolling Road
(9 Rocky Lane)
2nd Election District - 1st Councilmanic District
Dayle M. Smith - Petitioner
Case No. 95-456-A

Dear Ms. Smith:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. R. L. Tice, Patio Enclosures, Inc.
224 8th Avenue, N.W., Glen Burnie, Md. 21061

People's Counsel

File

Printed with Soybean Ink
on Recycled Paper

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at
9 ROCKY LANE
Pikesville, M.D. 21208

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include details or attach affidavits)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS: MOSQUITOES, FLIES, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Dayle M. Smith
DAYLE M. SMITH
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of July, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dayle M. Smith
Dayle M. Smith

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Virginia Moya
NOTARY PUBLIC
My Commission Expires: 7/27/98

LEGAL DESCRIPTION OF PROPERTY

BEGINNING ON THE WEST SIDE OF ROCKY LANE ON A CUL-DE-SAC, AT A DISTANCE OF 450 FT. END OF THE CENTERLINE OF ROLLING ROAD. BEING LOT 16 IN THE SUBDIVISION OF OLD COURT VILLAGE. BOOK 64, FOLIO 28. ALSO KNOWN AS 9 ROCKY LANE. IN THE 2nd ELECTION DISTRICT.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 2nd Date of Posting 6/13/95
Posted for: Variances
Petitioner: Dayle M. Smith
Location of property: 9 Rocky Lane
Location of Sign: Rolling Road on property boundary corner
Remarks: _____
Posted by: William Date of return: 6/14/95
Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 6/14/95

receipt
95-456-A

Account: R001-6150

Number 463

JLL

1 RES. VAR 50.00
1 RES. 94 (AMENDMENT) 50.00
1 SIGN 35.00
\$135.00

CUMER SMITH
LOC 9 ROCKY LN

Please Make Checks Payable To: Baltimore County
336034006841CHBL
336034006841CHBL
410-521-4629

Cashier Validation

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9 ROCKY LANE, PIKESVILLE, MD. 21208
which is presently zoned DR-16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) V.B.6(a) & (b) of the Baltimore County Zoning Regulations to permit the enclosure of an existing deck, and to amend the previously approved site plan in Case No. 92-270-A and the last approved Final Development Plan for Old Court Village Lot 16 thereof, accordingly.

* SEE REVERSE SIDE *
25 Feet Setback Street Right-of-Way of 13 Feet in Lieu of the Required 25 Feet and 8 Feet Side Yard Setback of 15 Feet in Lieu of the Required 15 Feet for the Proposed Enclosure of an Existing Deck.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

DAYLE M. SMITH
Type or Print Name

Signature

Address

City State Zipcode

For Petitioner: PATIO ENCLOSURES, INC.
Type or Print Name

Signature

Address

City State Zipcode

224 8th Ave., N.W. 760-1919
GLEN BURNIE, MD. 21061

224 8th Ave., N.W. 760-1919
GLEN BURNIE, MD. 21061

Public Hearing having been held and/or as required, it is ordered, by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reported.

Towson, Maryland

ESTIMATED POSTING DATE

REVIEWED BY: DATE: ITEM # 463

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at
9 ROCKY LANE
Pikesville, M.D. 21208

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include details or attach affidavits)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS: MOSQUITOES, FLIES, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Dayle M. Smith
DAYLE M. SMITH
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of July, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dayle M. Smith
Dayle M. Smith

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Virginia Moya
NOTARY PUBLIC
My Commission Expires: 7/27/98

LEGAL DESCRIPTION OF PROPERTY

BEGINNING ON THE WEST SIDE OF ROCKY LANE ON A CUL-DE-SAC, AT A DISTANCE OF 450 FT. END OF THE CENTERLINE OF ROLLING ROAD. BEING LOT 16 IN THE SUBDIVISION OF OLD COURT VILLAGE. BOOK 64, FOLIO 28. ALSO KNOWN AS 9 ROCKY LANE. IN THE 2nd ELECTION DISTRICT.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 2nd Date of Posting 6/13/95
Posted for: Variances
Petitioner: Dayle M. Smith
Location of property: 9 Rocky Lane
Location of Sign: Rolling Road on property boundary corner
Remarks: _____
Posted by: William Date of return: 6/14/95
Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 6/14/95

receipt
95-456-A

Account: R001-6150

Number 463

JLL

1 RES. VAR 50.00
1 RES. 94 (AMENDMENT) 50.00
1 SIGN 35.00
\$135.00

CUMER SMITH
LOC 9 ROCKY LN

Please Make Checks Payable To: Baltimore County
336034006841CHBL
336034006841CHBL
410-521-4629

Cashier Validation

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9 ROCKY LANE, PIKESVILLE, MD. 21208
which is presently zoned DR-16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) V.B.6(a) & (b) of the Baltimore County Zoning Regulations to permit the enclosure of an existing deck, and to amend the previously approved site plan in Case No. 92-270-A and the last approved Final Development Plan for Old Court Village Lot 16 thereof, accordingly.

* SEE REVERSE SIDE *
25 Feet Setback Street Right-of-Way of 13 Feet in Lieu of the Required 25 Feet and 8 Feet Side Yard Setback of 15 Feet in Lieu of the Required 15 Feet for the Proposed Enclosure of an Existing Deck.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

DAYLE M. SMITH
Type or Print Name

Signature

Address

City State Zipcode

For Petitioner: PATIO ENCLOSURES, INC.
Type or Print Name

Signature

Address

City State Zipcode

224 8th Ave., N.W. 760-1919
GLEN BURNIE, MD. 21061

224 8th Ave., N.W. 760-1919
GLEN BURNIE, MD. 21061

Public Hearing having been held and/or as required, it is ordered, by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reported.

Towson, Maryland

ESTIMATED POSTING DATE

REVIEWED BY: DATE: ITEM # 463

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at
9 ROCKY LANE
Pikesville, M.D. 21208

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include details or attach affidavits)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS: MOSQUITOES, FLIES, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

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Dayle M. Smith
DAYLE M. SMITH
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of July, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dayle M. Smith
Dayle M. Smith

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Virginia Moya
NOTARY PUBLIC
My Commission Expires: 7/27/98

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CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 2nd Date of Posting 6/13/95
Posted for: Variances
Petitioner: Dayle M. Smith
Location of property: 9 Rocky Lane
Location of Sign: Rolling Road on property boundary corner
Remarks: _____
Posted by: William Date of return: 6/14/95
Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 6/14/95

receipt
95-456-A

Account: R001-6150

Number 463

JLL

1 RES. VAR 50.00
1 RES. 94 (AMENDMENT) 50.00
1 SIGN 35.00
\$135.00

CUMER SMITH
LOC 9 ROCKY LN

Please Make Checks Payable To: Baltimore County
336034006841CHBL
336034006841CHBL
410-521-4629

Cashier Validation

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9 ROCKY LANE, PIKESVILLE, MD. 21208
which is presently zoned DR-16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) V.B.6(a) & (b) of the Baltimore County Zoning Regulations to permit the enclosure of an existing deck, and to amend the previously approved site plan in Case No. 92-270-A and the last approved Final Development Plan for Old Court Village Lot 16 thereof, accordingly.

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Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

DAYLE M. SMITH
Type or Print Name

Signature

Address

City State Zipcode

For Petitioner: PATIO ENCLOSURES, INC.
Type or Print Name

Signature

Address

City State Zipcode

224 8th Ave., N.W. 760-1919
GLEN BURNIE, MD. 21061

224 8th Ave., N.W. 760-1919
GLEN BURNIE, MD. 21061

Public Hearing having been held and/or as required, it is ordered, by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reported.

Towson, Maryland

ESTIMATED POSTING DATE

REVIEWED BY: DATE: ITEM # 463

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at
9 ROCKY LANE
Pikesville, M.D. 21208

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include details or attach affidavits)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS: MOSQUITOES, FLIES, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 22, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-456-A (Item 463)
9 Rocky Lane
E/S Rocky Lane, 450' SW of Rolling Road
2nd Election District - 1st Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact Mr. Smith with this office regarding the status of this case should reference the case number and be directed to 887-3353. This notice also serves as a reference regarding the administrative process.

1) Your property will be posted on or before June 25, 1995. The closing date (July 7, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director
Department of Permits and Development Management

cc: Doyle M. Smith
Patio Enclosures, Inc.

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 30, 1995

Mr. Doyle M. Smith
9 Rocky Lane
Pikesville, Maryland 21208

RE: Item No.: 463
Case No.: 95-456-A
Petitioner: D. M. Smith

Dear Mr. Smith:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 14, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM
FROM: Pat Keller, Director, OPZ
SUBJECT: 9 Rocky Lane

DATE: June 26, 1995

INFORMATION:

Item Number: 463
Petitioner: Doyle M. Smith
Property Size: _____
Zoning: DR-16
Requested Action: Administrative Variance
Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

The applicant requests an administrative variance to permit a setback of 13' in lieu of the required 25 feet, and to amend the FDP for Old Court Village.

Pursuant to Section 1801.3A.7.b(1) of the BCZR, the Director of the Office of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article (1B) and other provisions of the CMDF, notwithstanding the requested variance.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance.

Prepared by: Jeffrey W. Long
Division Chief: John J. Dill
PK/JL

ITEM463/PZONE/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-1500

DATE: 07/03/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUN. 26, 1995

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 450, 451, 452, 453, 454, 455, 457, 458, 459, 460, 463 AND 464.

RECEIVED
JUL 3 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
SUBJECT: Zoning Advisory Committee
Agenda: 6/30/95

DATE: 6/30/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s:
450
451
452
453
456
457
458
459
460
463
465
467

LS:sp

LETTY2/DEPRM/TXTS8P

Maryland Department of Transportation
State Highway Administration

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 463 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

THIS DEED, made this 6th day of January, in the year one thousand nine hundred and ninety-four, by and between ABRAHAM PAUL KOROTKI, Grantor and party of the first part, and DAYLE M. SMITH, Grantee(s) and party(ies) of the second part.

WITNESSETH, that in consideration of the sum of \$122,600.00, the actual consideration paid or to be paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said party of the second part her

personal representatives and assigns, forever, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 16 as shown on a Plat entitled Old Court Village, which plat is recorded among the Land Records of Baltimore County in Plat Book SM No. 64 folio 28.

The improvements thereon being known as No. 9 ROCKY LANE

BEING a portion of that lot of ground which by Deed dated October 13, 1975 and recorded among the Land Records of Baltimore County in Liber No. 5576 folio 935, was granted and conveyed by Harry K. Lott, Personal Representative of the Estate of Ida C. Kiefer, deceased, unto Abraham Paul Korotki, the Grantor herein.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said party of the second part, her

personal representatives and assigns, forever, in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

RESIDENTIAL TITLE
& ESCROW COMPANY
1500 Reisterstown Road
Suite 218
Baltimore, MD 21208
(410) 653-3400

WITNESS the hand and seal of said Grantor.

WITNESS:

Abraham Paul Korotki (SEAL)

STATE OF MARYLAND,

to wit:

I HEREBY CERTIFY, that on this day of 1993, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Abraham Paul Korotki, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and she acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My commission expires:

THE UNDERSIGNED hereby certifies that the above instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland, or by one of the parties named in the instrument.

File No. _____

1227M

RESIDENTIAL TITLE
& ESCROW COMPANY
1500 Reisterstown Road
Suite 218
Baltimore, MD 21208
(410) 653-3400

95-456-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
ROCKDALE
PLEASANT HEIGHTS
MIDVALE

SHEET
NW.
6-6

MICROFILMED